

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

INEZ RENITA MOORE,

Plaintiff,

v.

FIRST ADVANTAGE BACKGROUND
SERVICES CORP.,

Defendant.

Case No.: 1:25-cv-00019

**COMPLAINT and
JURY TRIAL DEMAND**

Inez Renita Moore (“Plaintiff” or “Ms. Moore”) by and through her counsel brings the following Complaint against First Advantage Background Services Corp. (“Defendant” or “FADV”) for violations of the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. §§ 1681, *et seq.*,

INTRODUCTION

1. Defendant falsely reported to Plaintiff’s prospective employer that Plaintiff was convicted of three misdemeanors for Resisting Arrest, Perverted Practice, and Prostitution, Procure/Solicit.

2. Defendant’s inaccurate reporting did not account for the actual court records from Baltimore City, Maryland, which would have shown that the criminal records belong to a different individual.

3. Defendant acted pursuant to its standard policies and practices, which fail to place requisite emphasis on the accuracy of public records.

PARTIES

4. Inez Renita Moore (“Plaintiff” or “Ms. Moore”) is a natural person residing in Richlands, North Carolina, and is a “consumer” as that term is defined in 15 U.S.C. § 1681a(c).

5. Defendant First Advantage Background Services Corp. (“Defendant” or “FADV”) is a Georgia corporation doing business throughout the United States, including the State of North Carolina and in this District, and has a principal place of business located at 1 Concourse Parkway NE, Suite 200, Atlanta, Georgia, 30328. FADV can be served at its registered agent for service Corporation Service Company at 2 Sun Court, Suite 400, Peachtree Corners, Georgia 30092. Defendant is a consumer reporting agency as defined in 15 U.S.C. § 1681a(f).

JURISDICTION AND VENUE

6. This Court has jurisdiction over Plaintiff’s claims pursuant to 28 U.S.C. § 1331 and 15 U.S.C. § 1681p.

7. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)(2).

FACTUAL ALLEGATIONS

8. Plaintiff is a grandmother. After struggling with difficult circumstances early in life, Plaintiff expended considerable efforts to obtain her GED and subsequent degrees from Pitt Community College and Chemeketa Community College, where she received accolades. Plaintiff is fifty-five years old.

9. Plaintiff has a condition which limits her to standing for a maximum of five hours daily. This limits the jobs she can apply for. Plaintiff has been trying to get a suitable job and has considered Dollar General since August 2010. She has made several applications and received a number of interviews: according to her recollection, eight applications and three interviews.

10. On or about September 18, 2024, Plaintiff was offered a position with Dollar General (“DG Retail”). On September 18, 2024, DG Retail purchased a criminal background check on Plaintiff from Defendant. On or about September 19, 2024, Defendant completed its consumer report about Plaintiff and provided it to DG Retail.

11. Within that consumer report, Defendant published inaccurate information about Plaintiff. Specifically, the report included three stigmatizing criminal convictions from Baltimore City, Maryland, which appeared in the consumer report as follows:

First Advantage National Criminal File RICHLANDS, ONSLOW, NC		Status: Complete
Date Completed: 18/Sep/2024		Score: FT1**
Record Source	BALTIMORE CITY 8TH JUDICIAL CIRCUIT AND DISTRICT COURTS	
Search Results	Record Found	
Search Type	First Advantage National Criminal File Search	
Date of Search	18/Sep/2024	
Search Period	09/04/2017 - 09/04/2024	
Address Covered	365 HUFFMANTOWN RD	
Address City Covered	RICHLANDS	
Address County Covered	ONSLOW	
Address State Covered	NC	
Address Zip	28574	
Location	8TH JUDICIAL CIRCUIT COURT-CRIMINAL DIVI 110 N CALVERT RM 200 BALTIMORE BALTIMORE CITY COUNTY	
Given Name Searched	INEZ RENITA MOORE	

Case Reference #	897342013
Case Date	08/Dec/1997
Name on File	INEZ R MOORE
Address on File	1835 DRUID HILL AVE, BALTIMORE, MD
DoB on File	XX/XX/XXXX
Charge	RESISTING ARREST
Major/Minor Category	CRIMINAL INTENT / RESIST/OBSTRUCT/EVADE/FLEE
Charge Type	MISDEMEANOR
Disposition	GUILTY
Disposition Date	09/Dec/1997
Sentence	JAIL 3 MONTHS; FINE AND COSTS
Charge	PROSTITUTE, PROCURE/SOLICIT
Major/Minor Category	SEX CRIMES / SEX - PROSTITUTION
Charge Type	MISDEMEANOR
Disposition	GUILTY
Disposition Date	09/Dec/1997
Sentence	JAIL 3 MONTHS; FINE AND COSTS

Case Reference #	0B00146335
Case Date	30/Oct/1996
Name on File	INEZ RITA MOORE
Address on File	535 MCMECHEN ST, BALTIMORE, MD
DoB on File	XX/XX/XXXX
Charge	PERVERTED PRACTICE
Major/Minor Category	SEX CRIMES / SEX - MISCELLANEOUS
Charge Type	MISDEMEANOR
Disposition	GUILTY
Disposition Date	14/Mar/1997
Sentence	JAIL 6 MONTHS/SUSPENDED; PROBATION END DATE: 03/14/1998; FINE AND COSTS

Case Reference #	5B00222885
Case Date	22/Aug/1997
Name on File	INEZ MOORE
Address on File	1835 DRUID HILL ROAD, BALTIMORE, MD
DoB on File	XX/XX/XXXX
Charge	PROSTITUTE, PROCURE/SOLICIT
Major/Minor Category	SEX CRIMES / SEX - PROSTITUTION
Charge Type	MISDEMEANOR
Disposition	GUILTY
Disposition Date	04/Feb/1998
Sentence	JAIL 60 DAYS; CREDIT TIME SERVED 35 DAYS; FINE AND COSTS

12. The criminal convictions reported by Defendant about Plaintiff to DG Retail do not belong to Plaintiff. Rather, they belong to Ines Rita Moore, Plaintiff's twin sister.

13. Readily available public records from the Maryland judiciary, which can be accessed online, confirm that the individual charged in the three mixed cases has a significantly different height and weight as Plaintiff, a different name than Plaintiff, and a different address than Plaintiff, as confirmed by contemporaneous records from the Maryland judiciary regarding Plaintiff herself. Defendant failed to review (or, alternatively, to give adequate weight to) these and other readily available details.

14. On or about September 19, 2024, Plaintiff was notified by DG Retail that her employment application was denied as a result of Defendant's background check.

15. Shortly thereafter, Plaintiff obtained a copy of the subject consumer report and was shocked and humiliated upon reviewing and realizing that the serious and sex-related criminal convictions of another were published in the consumer report Defendant sold about Plaintiff to DG Retail. Plaintiff felt panicked, confused, and concerned.

16. As a result of Defendant's violations of the FCRA, Plaintiff has suffered a range of actual damages including, without limitation, loss of employment opportunities, wages, and benefits; loss of economic opportunities and positions and advancements in the future; loss of time and money trying to correct her background check report; the expenditure of labor and effort disputing and trying to correct the inaccurate reporting; damage to her reputation; loss of sleep; lasting psychological damage; loss of capacity for enjoyment of life; and emotional distress, including mental anguish, anxiety, fear, frustration, humiliation, and embarrassment.

CLAIMS FOR RELIEF

COUNT I

15 U.S.C. § 1681e(b)

Failure to Follow Reasonable Procedures to Assure Maximum Possible Accuracy

17. Plaintiff re-alleges and incorporates by reference the allegations set forth in the preceding paragraphs as if fully stated herein.

18. Defendant violated 15 U.S.C. § 1681e(b) by failing to establish or to “follow reasonable procedures to assure maximum possible accuracy” in the preparation of the consumer report it sold about Plaintiff as well as the information it published within the same.

19. As a result of Defendant’s violations of the FCRA, Plaintiff has suffered a range of actual damages as stated above.

20. Defendant willfully violated 15 U.S.C. § 1681e(b) in that its violations were willful or reckless, rendering them liable for actual or statutory damages and punitive damages in an amount to be determined by the Court pursuant to 15 U.S.C. § 1681n. Alternatively, the violations were negligent, entitling Plaintiff to recover under 15 U.S.C. § 1681o.

21. Plaintiff is entitled to recover statutory damages, punitive damages, and reasonable attorneys’ fees and costs from Defendant in an amount to be determined by the Court pursuant to 15 U.S.C. § 1681n and/or § 1681o.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the following relief:

- i. Determining that Defendant negligently and/or willfully violated the FCRA;
- ii. Awarding Plaintiff actual, statutory, and punitive damages as provided by the FCRA;
- iii. Awarding Plaintiff reasonable attorneys’ fees and costs as provided by the FCRA; and,
- iv. Granting further relief, in law or equity, as this Court may deem appropriate and just.

DEMAND FOR JURY TRIAL

Plaintiff is entitled to and hereby demands a trial by jury on all issues so triable.

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Respectfully submitted this 22nd day of January 2025.

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